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Public Hearing for Case 22288

Development Agreement for Low Impact Campground
Prospect Road, McGrath's Cove

Halifax and West Community Council
August 26, 2020

HRM Planner: Maria Jacobs

Applicant Proposal

Applicant: David Cahill of Wilderness Stays

Location: Prospect Road, between East Dover and McGraths Cove Roads.

(PIDS 40853376, 40065195, 41295999, 40853368, 41296401)

Proposal: To enter into a Development Agreement to enable an low impact tourism development for up to 35 campsites and other commercial recreation uses, ie. board walk, boating, outdoor education areas, café/canteen.



Site Context

McGraths Cove

General Site location:

- Fronts onto Prospect Road
- North of East Dover & McGraths Cove
- between McGraths Cove and East Dover Roads
- approx. 9 km of Peggy's Cove

Size:

46.7 acres

Lake Frontage:

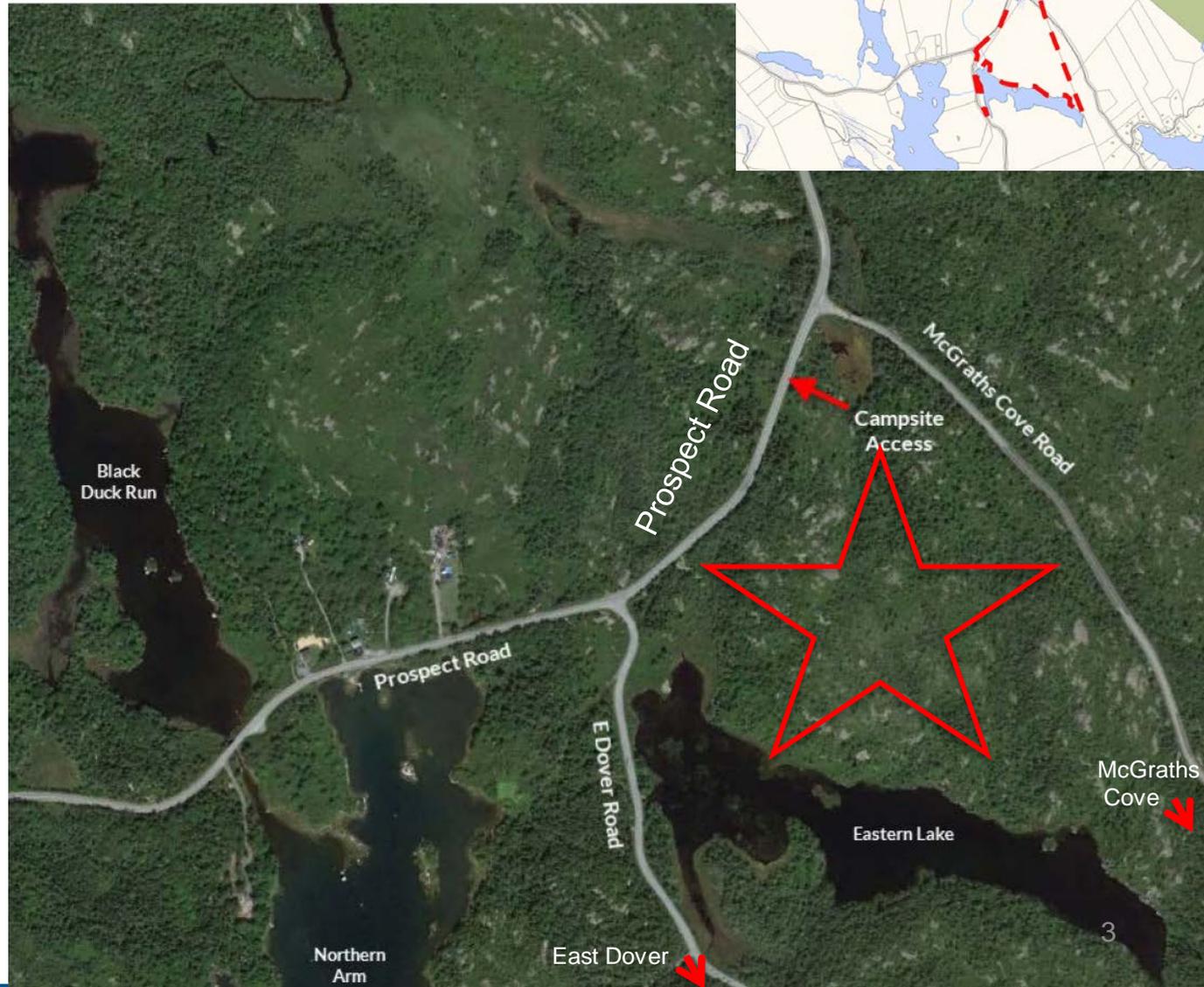
Eastern Lake

Road Frontage:

Approx. 400m on Prospect

Neighbour:

Approx, 200m on Prospect

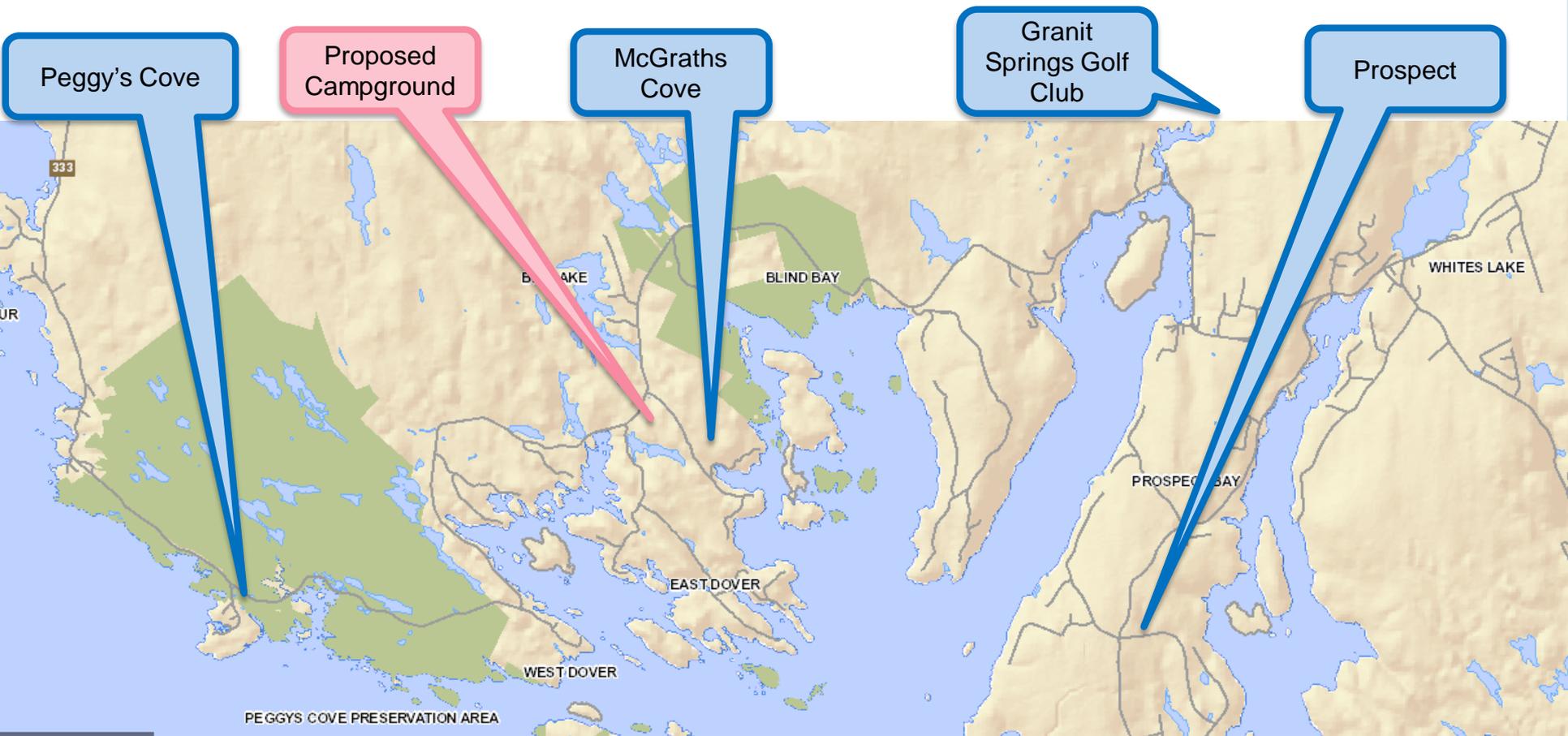


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Site Context





Site Context

McGraths Cove

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View of Road South



- Treed, boulder area adjacent to Eastern Lake
- Nearest neighbour house approx. 200m from intersection of Prospect and East Dover Roads
- Conservation, single units, and Big Lake Motel



View from East Dover Road to Eastern Lake

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Additional Photos of site:

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View of topography – boulders, trees, shrubs, lake



Planning Policy

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Planning District 4 (Prospect Road) Municipal Planning Strategy

Residential B Designation

-Supports a mix of land use activities, interspersed with low density and tourism related industries.

-Recognizes tourism operated in conjunction with residential dwellings or independently which both contribute to a valued tradition of providing service to the travelling public.

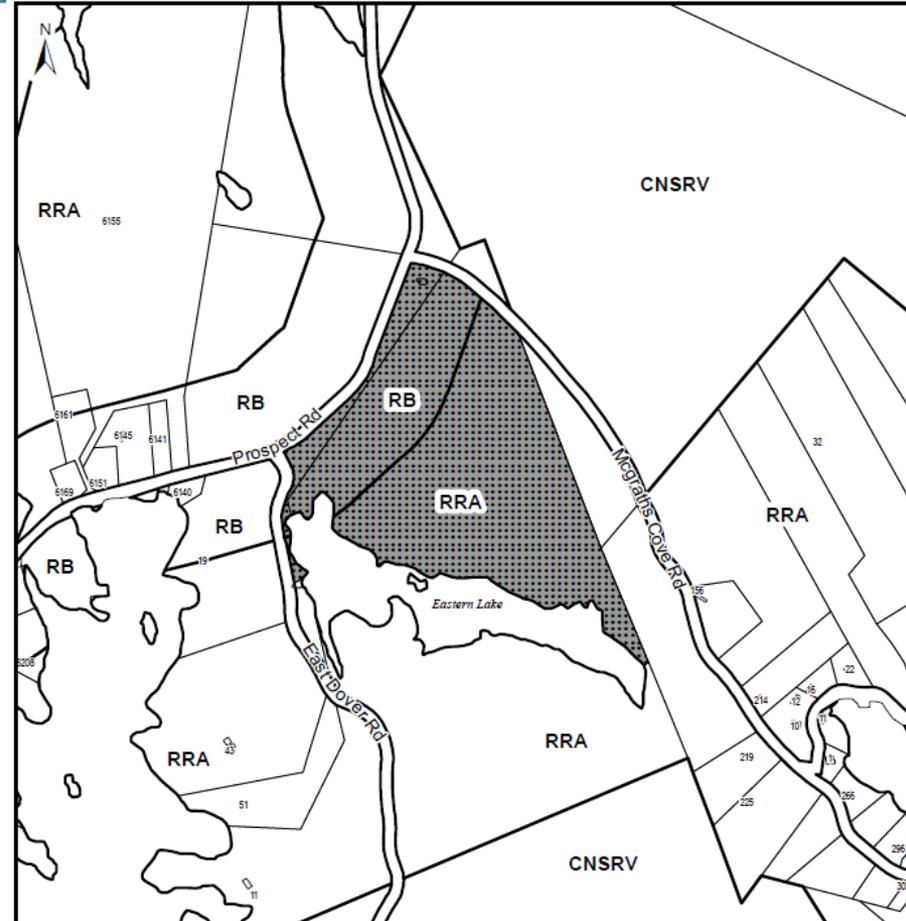
Rural Residential A Designation

-Supports the low density environment and gradual integration of a mix of residential, marine resource and open space uses

Enabling Policies

RB-11: A Development Agreement is required for a Commercial Recreation Use

IM-6: abutting designations



Map 1 - Generalized Future Land Use

PIDs: 40853376 & 40065195
Prospect Rd and East Dover Rd
McGraths Cove

Subject Properties

Designation
CNSRV Conservation
ISL Island
RB Residential B
RRA Rural Residential A

Planning District 4
Plan Area

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0 40 80 120 160 200 240 280 m

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Land Use By-law

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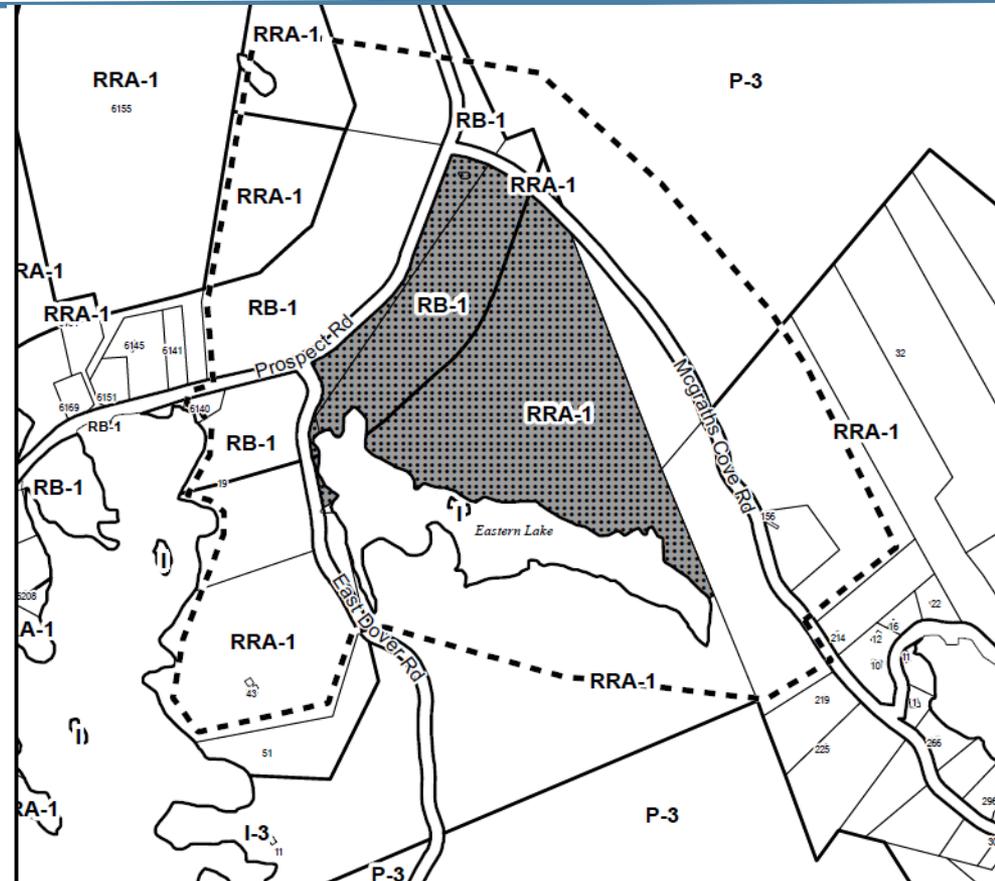
Planning District 4 (Prospect Road) LUB

RB-1 (Residential B-1) zone

-Permits single units and home businesses, Bed & Breakfasts, open spaces, craft shops, and resource uses.

RRA-1 (Rural Residential A-1) zone

-Permits single and two unit dwellings, home businesses, open space, resource uses



Map 2 - Zoning and Notification

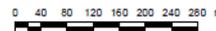
PIDS: 40853376 & 40065195
Prospect Rd and East Dover Rd
McGraths Cove

- Subject Properties
- Area of Notification

Zone

- I Island
- I-3 Local Service
- P-3 Conservation
- RA-1 Residential A-1
- RB-1 Residential B-1
- RPK Regional Park
- RRA-1 Rural Residential A-1

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This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

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Proposal

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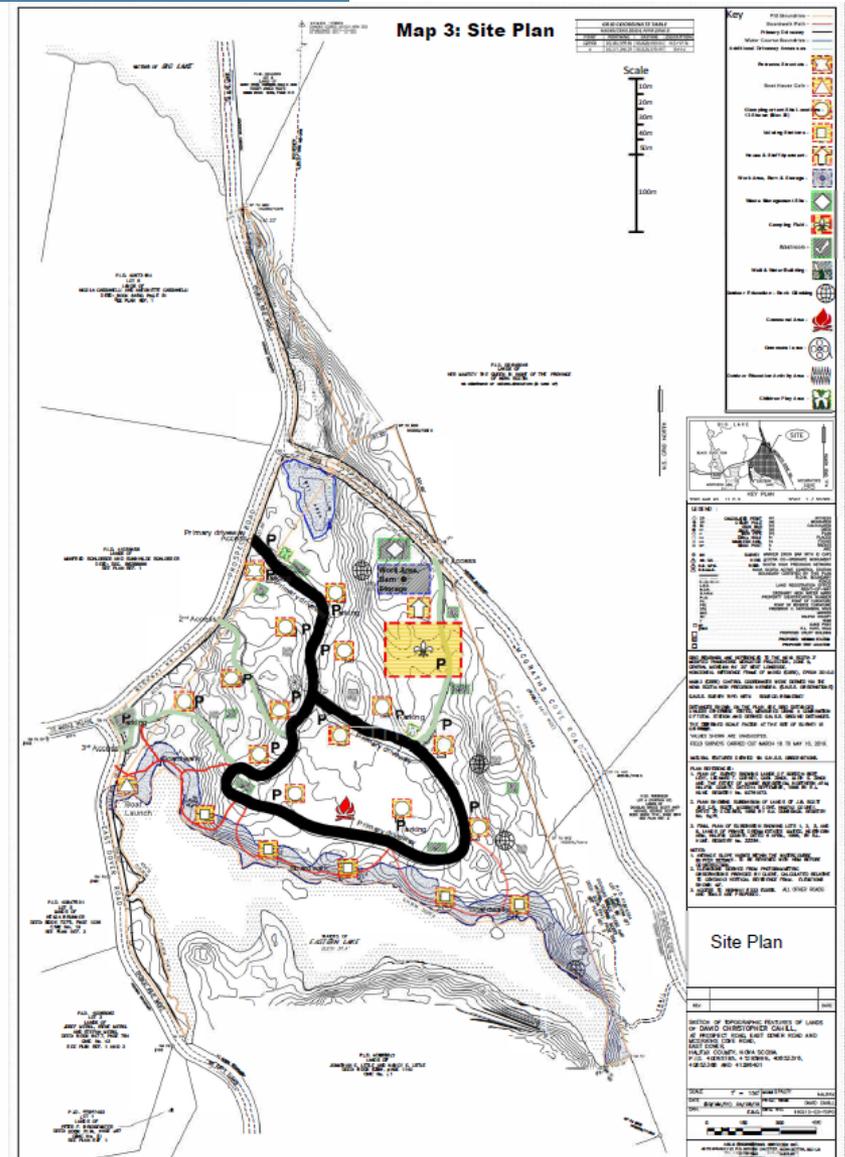
Planning District 4 (Prospect Road) Municipal Planning Strategy

Camping / glamping sites:

- up to 35 tenting / glamping sites
- some on wooden platforms
- some with canvass tents or other type of wooden structure
- Driveway with parking locations

Other uses

- fishing, viewing platforms, boardwalks
- canteen/café
- Washroom/waste management
- dwelling
- outdoor education / communal areas



Photos of site today:

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View from Prospect Road



Primary access off Prospect Road



View of driveway into
Campground

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Policy Consideration (RB-11)

Enabling Policies RB-11: commercial recreation activities, may be suitably located within this designation. These operations, however, can also impact on the surrounding community. These uses are permitted by development agreement.

- Impact on environment ie. watercourse
- Compatibility with adjacent uses
- Layout and design
- General maintenance
- Sewage disposal
- Hours of operation

Policy Consideration (IM-11)

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IM-11 In considering development agreements or amendments to the land use bylaw, in addition to all other criteria as set out in various policies of this Planning Strategy, Council shall have appropriate regard to the following matters:

- (a) that the proposal is in conformity with the intent of this Planning Strategy and with the requirements of all other municipal by-laws and regulations;
- (b) that the proposal is not premature or inappropriate by reason of:
 - (i) the financial capability of the Municipality to absorb any costs relating to the development;
 - (ii) the adequacy of on-site sewerage and water services;
 - (iii) the proximity of the proposed development to schools, recreation or other community facilities and the capability of these services to absorb any additional demands;
 - (iv) the adequacy of road networks leading to or within the development; and
 - (v) the potential for damage to or for destruction of designated historic buildings and sites.
- (c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:
 - (i) type of use;
 - (ii) height, bulk and lot coverage of any proposed building;
 - (iii) traffic generation, access to and egress from the site, and parking;
 - (iv) open storage;
 - (v) signs; and
 - (vi) any other relevant matter of planning concern.
- (d) that the proposed development is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding.

Highlights of Policy Review

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- Compatibility with Surrounding Uses and Community
 - Proposal seeks to retain the vegetation as much as possible and build sites and facilities that have a low impact.
 - Surrounding community is primarily zoned RB-1, RRA-1 and P-3

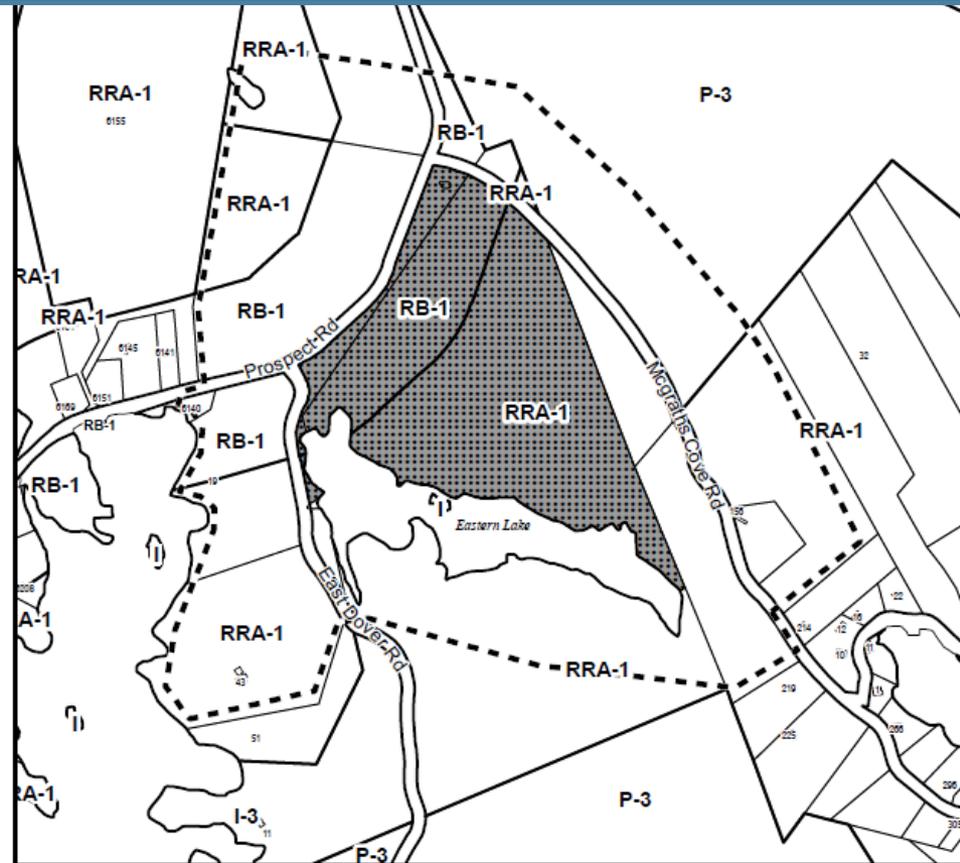
- Environmental Protection
 - NS Dept of Environmental will make recommendations and assess water and waste water systems prior to site work.
 - Watercourse setback requirements of the Land Use By-law- ie 20 -30m from wetland and from Eastern Lake.

- Road Network, Traffic Generation, Parking, Access/Egress
 - Prospect Rd is owned and maintained by NS Dept of Transportation and Infrastructure Renewal
 - Driveways must meet NSTIR access management guidelines, any work requires a work-within the right-of-way permit

Public Engagement

Level of engagement completed was consultation achieved through:

- a postcard mail out notification, notice in paper
- A public information meeting September 18, 2019
- Application webpage on Halifax.ca



Notifications Mailed



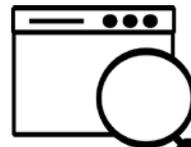
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Meeting Attendees



49 (12 students)

Webpage Views



347 (April–Aug.)

Letters/Emails/phone calls Received



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Public Engagement Feedback

- Comments from community included the following issues::
 - Impact on environment – lake, watercourse
 - Water supply and Waste Management
 - Traffic – Prospect Road
 - Fire Protection
 - Other Activities and compatibility with community

Other changes:

- Flexibility with tent pitches and canvas tents and wooden structures
 - Up to 35 tent pitches, semi permanent canvas tents, wooden structures
- Fire safety
 - extinguisher in every building,
 - width of driveway permits fire trucks,
 - turnaround area if driveway loop is not yet completed,
 - 3 other access points proposed
- Hours of operation
 - quite time enforced: 11pm to 7am,
 - a dwelling on site and dwelling for employees on site,
 - 24 hour phone access
- Outdoor Education areas – staff available for instruction
ie bouldering, etc.

Summary: Key Aspects of Proposed Development Agreement

- Sites
 - Maximum 35 sites
 - 15 glamping sites (meets flame resistant fabrics standard)
 - Approximately 15 tent sites
- Utility buildings (max. 9)
 - Registration
 - Washroom and shower facility
 - Composting facility
 - Boat shed
 - Café/canteen
 - Equipment storage
- 1 primary driveway and 3 proposed access driveways
 - Primary -off Prospect
 - Secondary – Prospect, McGraths Cove, East Dover Roads
- Boardwalk
 - Along Eastern Lake
 - 5 viewing stations
- Outdoor areas
 - Fishing, communal spaces
 - Climbing walls/obstacles, bouldering areas
 - Boating
- Maintenance, garbage disposal, signage

A 'Non-Substantive Amendment' is a change to the agreement which could be made without a formal Public Hearing. Instead, Community Council could authorize this change by resolution.

As proposed, Non-Substantive Amendments within this agreement include the following:

- 5 additional tent/glamp sites
- 3 additional utility structures
- Signage
- Time to start and complete (15 sites is considered complete)

Staff Recommendation

Staff recommend that Halifax and West Community Council:

- Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A; and
- Require the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.

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Thank You

Policy Criteria & Consideration

Planning District 4 (Prospect Road)

- **IM-11** -(a) that the proposal is in conformity with the intent of this Planning Strategy and with the requirements of all other municipal by-laws and regulations;
- (b) that the proposal is not inappropriate:
- (i) the **financial capability** of the Municipality
- (ii) the adequacy of **on-site sewerage and water services**;
- (iii) the **proximity** of the proposed development to schools, recreation or other community facilities;
- (iv) the adequacy of **road networks** leading to or within the development; and
- (v) the potential for damage to designated **historic buildings** and sites.
- (c) that controls are placed on the proposed development so as **to reduce conflict** with any adjacent or nearby land uses by reason of:
 - (i) **type of use**;
 - (ii) **height, bulk** and lot coverage of any proposed building;
 - (iii) **traffic generation**, access to and egress from the site, and parking;
 - (iv) **open storage**;
 - (v) **signs**; and
 - (vi) any other relevant matter of planning concern.
- (d) that the proposed development is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding.

Policy Criteria

Planning District 4 (Prospect Road)

- **RB-11** -within the Residential B Designation, Council may consider permitting commercial recreation uses by considering the following:
- (a) the potential impact of the proposed development on the **natural environment** and in particular, potential effects on watercourses;
- (b) that the proposal will **not adversely affect nearby residential** or community facility development by virtue of noise, visual intrusion, traffic generation and/or littering;
- (c) the impact of the proposed use on the **existing road network** in terms of traffic generation and vehicular and pedestrian safety;
- (e) the **layout and design** of the facility;
- (f) the **general maintenance** of the facility;
- (g) the location and level of treatment of any proposed **sewage** treatment plant;
- (h) the requirement for any applicable provincial approvals;
- (i) the **hours of operation**; and
- (j) the provisions of Policy IM-11.